



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cheo *et al.*

Appl. No.: 09/732,914

Filed: December 11, 2000

For: **Use of Multiple Recombination
Sites with Unique Specificity in
Recombinational Cloning**

Confirmation No.: 2341

Art Unit: 1636

Examiner: Ketter, J.S.

Atty. Docket: 0942.5010002/RWE/BJD/JKM

Twelfth Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The numbering on this Twelfth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Eleventh Supplemental Information Disclosure Statement filed November 12, 2004, in connection with the above-captioned application.

A copy of document **AF20** is not provided in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application." Copies of documents **AT214** and **AR215** are not provided in accordance with the U.S. Patent and Trademark Office OG notice of October 19, 2004, which states: "the

requirement in 37 C.F.R. § 198(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is *sua sponte* waived where the cited pending application is stored in the USPTO's IFW system.” A copy of each other document is provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants’ undersigned representative submits the following, in regards to non-English language documents **AL20** and **AM20** cited on Form PTO 1449:

Document **AL20**, French Patent Publication No. FR 2 670 502, is in the French language. Document **AM20**, PCT Patent Publication No. WO 92/10577, is in the French language. An unverified English language abstract of documents **AL20** and **AM20** is attached as document **AS213**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not

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exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Twelfth Supplemental Information Disclosure Statement is being filed before the mailing of a First Office Action after the filing of a Request for Continued Examination Under 37 C.F.R. § 1.114. No statement on fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

Date: Jan. 28, 2005
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
358886_1.DOC

FORM PTO-1449

TWELFTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
0942.5010002/RWE/BJD/JKMAPPLICATION NO.
09/732,914APPLICANT(S)
Cheo *et al.*FILING DATE
December 11, 2000ART UNIT
1636

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF20	5,451,513	09/19/1995	Maliga <i>et al.</i>			08/25/1993
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL20	FR 2 670 502	06/16/1992	France			Yes <input checked="" type="checkbox"/> No
	AM20	WO 92/10577	06/25/1992	WIPO			Yes <input checked="" type="checkbox"/> No
	AN20	WO 94/20604	09/15/1994	WIPO			Yes No
	AO20	WO 00/29000	05/25/2000	WIPO			Yes No
	AP20	WO 00/52027	09/08/2000	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR			
AS	213	Dialog File 351, Derwent World Patent Index, unverified English Language Abstract for French Patent No. FR 2 670 502 (Document AL20) and PCT Patent No. WO 92/10577 (Document AM20), WPI Accession No. 9107201	
AT	213	Office Action for U.S. Patent Application No. 10/820,133 mailed on November 17, 2004	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449

TWELFTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

JAN 28 2005
U.S. PATENT & TRADEMARK OFFICE

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL21	WO 00/52141	09/08/2000	WIPO			Yes No
	AM21	WO 01/25466	04/12/2001	WIPO			Yes No
	AN21	WO 01/42509	06/14/2001	WIPO			Yes No
	AO21	WO 02/46372	06/13/2002	WIPO			Yes No
	AP21	WO 02/62957	08/15/2002	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	214	Office Action for U.S. Patent Application No. 09/907,719 mailed on December 28, 2004
	AS	214	Office Action for U.S. Patent Application No. 09/432,085, mailed on December 28, 2004
	AT	214	U.S. Patent Application No. 10/877,952, Welch <i>et al.</i> , filed July 28, 2004 (NOT PUBLISHED)

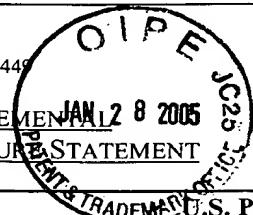
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL22	WO 02/86144	10/31/2002	WIPO			Yes No
	AM22	WO 02/95055	11/28/2002	WIPO			Yes No
	AN22	WO 03/044207	05/30/2003	WIPO			Yes No
	AO22	WO 04/009768	01/29/2004	WIPO			Yes No
	AP22	WO 04/013290	02/12/2004	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>215</u>	U.S. Patent Application No. 11/000,371, Chesnut <i>et al.</i> , December 1, 2004 (NOT PUBLISHED)
AS		
AT		

EXAMINER

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